

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

RONALD BERNARD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:19-cv-04043-NKL
)	
KANSAS CITY LIFE INSURANCE CO.,)	
)	
Defendant.)	
_____)	

**JOINT MOTION TO AMEND SCHEDULING ORDER
AND SUGGESTIONS IN SUPPORT**

COME NOW Plaintiff Ronald Bernard ("Plaintiff") and Defendant Kansas City Life Insurance Co. ("Defendant") (hereinafter "the Parties"), and jointly move the Court for an Order amending the Court's Scheduling Order as follows: to extend the deadline for filing their respective Suggestions in Opposition to Cross Motions for Summary Judgment to and including Friday, December 6, 2019.

SUGGESTIONS IN SUPPORT

In support of this Motion, the Parties respectfully state and suggest as follows:

1. The Court's April 18, 2019 Scheduling Order (Docket No. 7), provides that Cross Motions for Summary Judgment were originally due to be filed on or before Tuesday, October 15, 2019.
2. On October 3, 2019, the Parties jointly filed a motion to amend the Scheduling Order extending the time for the parties to file their respective Cross Motions for Summary Judgment (Docket No. 11).

3. On October 3, 2019, the Court granted the joint motion to amend the Scheduling Order and extended the deadline for filing summary motions to Thursday, October 31, 2019 (Docket No. 12).

4. Pursuant to the October 3, 2019 Order, the Parties' respective Suggestions in Opposition to Cross Motions for Summary Judgment are presently due to be filed on or before November 21, 2019. The time for filing has not yet expired.

5. The Parties jointly move for an extension of time to and including Friday, December 6, 2019 to file their respective Oppositions to Cross Motions for Summary Judgment.

6. Further, because this is joint motion, no party will be prejudiced by extending the Summary Judgment deadline.

7. The Parties do not seek this extension for the purposes of delay, but rather in a good faith effort to fully address the issues raised by the Parties' Cross Motions for Summary Judgment. The Parties require additional time to complete preparation of their Suggestions in Opposition and have also adjusted the proposed deadline to account for the impact of the Thanksgiving holiday week.

8. A proposed order is submitted with this motion.

WHEREFORE, the Parties respectfully pray that the Court amend the Scheduling Order and enter an Order setting Friday, December 6, 2019, as the filing deadline for their respective Oppositions to Cross Motions for Summary Judgment, and that the Court grant the Parties such other and further relief as the Court deems just and proper in the premises.

Dated this 10th day of November, 2019.

HARLAN, STILL & KOCH

By: /s/ Russell C. Still

Russell C. Still (25423)
515 Cherry Street, Suite 300
P.O. Box 933
Columbia, MO 65205
Telephone: (573) 874-2402
Telecopier: (573) 443-3354 (fax)
rstill@harlan-still.com

ATTORNEYS FOR PLAINTIFF

LATHROP GAGE LLP

By: /s/ Richard N. Bien

Richard N. Bien (31398)
2345 Grand Boulevard, Suite 2200
Kansas City, Missouri 64108-2618
Telephone: (816) 292-2000
Telecopier: (816) 292-2001

Carrie E. Josserand (50692)
10851 Mastin Boulevard
Building 82, Suite 1000
Overland Park, Kansas 66210-1669
Telephone: (913) 451-5100
Telecopier: (913) 451-0875
[cjosserrand@lathropgage.com](mailto:cjosserand@lathropgage.com)

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2019, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following:

Russell C. Still
HARLAN, STILL & KOCH
515 Cherry Street, Suite 300
P.O. Box 933
Columbia, MO 65205
Email: rstill@harlan-still.com

ATTORNEY FOR PLAINTIFF

/s/ Richard N. Bien

An Attorney for Defendant